

REMARKS

Claims 7-9, 30-34, 36-42 were pending, and claims 21-28 and 35 were withdrawn. This amendment cancels claims 21-28 and 35, amends claim 7, and adds claim 43. Claim 7 has been broadened by moving the limitations of “providing suction within the nozzle to move debris through the bottom end of the nozzle and away from the target, and flowing a gas through or substantially across the window” to new claim 43. After entry of this amendment claims 7-9, 30-34 and 36-43 should be pending.

Claims 7-9, 30-34 and 36-42 were rejected as obvious over Applicant Admitted Prior Art (AAPA) in view of JP401062294A in view of JP702290689A in view of JP406335790A in view of USPN 6,833,222 to Buzerak et al.

The Examiner relies on JP702290689A to show a laser and a mask having plural openings and extending service life by changing the position of the opening part 19. Applicant disagrees.

JP702290689A describes a backup member (19) with opening parts (19d) (see Figure 3). The backup member (19) is fixed within an element (13) and cannot be moved. Instead, it is the laser beam oscillator (10) which is moved when the window (15) between the backup member (19) and the laser oscillator (10) becomes white/cloudy (see Abstract, “a laser beam oscillator (10) is vertically moved”). Thus, in JP702290689A a plurality of opening parts (19d) are used in the backup member (19) because the laser beam changes position.

In contrast, claim 7 calls for “directing said laser beam through a first one of a plurality of apertures in said window” and “adjusting said window such that the laser beam passes through a second one of the plurality of apertures”.

One would not have modified JP702290689A to make the backup member (19) adjustable and the laser beam oscillator (10) fixed, as this would result in the laser impinging a fixed position on the window (15), with the result that the window (15) would become white/cloudy and a resulting loss of laser intensity that the movement of the backup member (19) was intended to avoid.

In addition, one would not have modified JP702290689A to make both a backup member (19) with a plurality of apertures (19d) adjustable and the laser beam oscillator (10) adjustable. If both the a backup member (19) and the laser beam oscillator (10) were adjustable, then only one aperture in the backup member (19) would be needed, since that one aperture could be moved to the matching position of the beam from the laser beam oscillator.

Consequently, the combination of the AAPA with JP702290689A would not result in the claimed subject matter, and claim 7, and the claims depending therefrom, should be allowable.

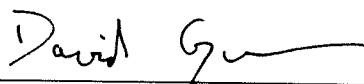
An Information Disclosure Statement is being filed with this amendment.

A petition for an extension of time under 37 C.F.R. § 1.136 is hereby made.

The fees in the amount of \$120 for the extension and \$180 for the Information Disclosure Statement are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 5/6/08



David J. Goren
Reg. No. 34,609

Customer No. 26181
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (650) 839-5071